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10/650,281	08/28/2003	Shinichi Kanai	09792909-5669	6692

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EXAMINER

ALMEIDA, DEVIN E

ART UNIT	PAPER NUMBER
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2132

MAIL DATE	DELIVERY MODE
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06/08/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/650,281

Applicant(s)

KANAI ET AL.

Examiner

Devin Almeida

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This action is in response to the papers filed 8/28/2003. Claims 1-20 were received for consideration. No preliminary amendments for the claims were filed. Currently claims 1-20 are under consideration.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Response to Arguments

Applicant's arguments filed 4/4/2007 have been fully considered but are not persuasive.

With respect to claim 1 applicant states that the prior art does not show "said first information processing apparatus sends authentication information for authenticating a user and preset area information to said third information processing apparatus via said network; said third information processing apparatus selects said second information

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processing apparatus corresponding to said area information obtained from said first information processing apparatus and sends said authentication information obtained from said first information processing apparatus to said selected second information processing apparatus via said network; and said second information processing apparatus authenticates said first information processing apparatus on the basis of said authentication information received from said third information processing apparatus and sends authentication result information for said first information processing apparatus to said third information processing apparatus via said network." Boltz clearly teaches the Mobile Station 20 (first information apparatus) sends a registration message through Base Station (third information apparatus) to that area's MSC/VLR Service Area (second information apparatus) where it registers the requisite information. Also is further rejection below.

Applicant's arguments with respect to claims 5, 9, 10 and 13 are not persuasive for the same reason as claim 1 above. Boltz clearly teaches all the limitation of the claims.

Applicant's arguments with respect to claims 14 and 18 that selecting means for selecting second another information processing apparatus corresponding to said first another information processing apparatus on the basis of area information of said first another information processing apparatus. Higuchi clearly teaches that the delivery server (second another information processing apparatus) is chosen based on the area of the data delivery terminal (first another information processing apparatus) the data

delivery terminal can only connect to the delivery server if it is in the same cellular phone network as the delivery terminal.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-13 and 19-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Boltz et al. (U.S. Patent # 6,081,731). Boltz teaches everything with respect to claim 1, an information processing system comprising: a first information processing apparatus (see column 2 lines 45-62 i.e. element 20 Mobile Station); a second information processing apparatus, installed in each of areas, for authenticating said first information processing apparatus in a target area (see column 2 lines 45-62 i.e. element 12 MSC/VLR area); and a third information processing apparatus for providing content to said first information processing apparatus (see column 2 lines 45-62 i.e. element 18 Location area); said first information processing apparatus (see column 2 lines 45-62 i.e. element 20 Mobile Station) sends authentication information for authenticating a user (see column 3 lines 30-53 i.e. registration message) and preset area information to

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said third information processing apparatus (see column 2 lines 45-62 i.e. element 24 Base Station i.e The MSC/VLR areas 12, in turn, include a plurality of Location Areas (LA) 18, which is defined as that part of a given MSC/VLR area 12 in which a mobile station (MS) 20 may move freely without having to send update location information to the MSC/VLR area 12 that controls that LA 18. Each Location Area 12 is divided into a number of cells 22. Mobile Station 20 is the physical equipment, e.g., a car phone or other portable phone, used by mobile subscribers to communicate with the cellular network 10. A Base Station (BS) 24 is the physical equipment, illustrated for simplicity as a radio tower, that provides radio coverage to the geographical area of the cell 22 in which to handle radio traffic to and from the MS 20) via said network (see column 3 line 30-53); said third information processing apparatus selects said second information processing (see column 2 lines 45-62 i.e. element 12 MSC/VLR area) apparatus corresponding to said area information obtained from said first information processing apparatus and sends said authentication information obtained from said first information processing apparatus to said selected second information processing apparatus via said network (see column 3 line 30 – column 5 line 15 (it forwards the registration message from the through the Base stations to the to the appropriate MSC/VLR in the MSC/VLR area 12 and registers the requisite information therein); and said second information processing apparatus authenticates said first information processing apparatus on the basis of said authentication information received from said third information processing apparatus and sends authentication result information for said first information processing apparatus to said third information processing apparatus via

said network (see column 3 line 30 – column 5 line 15 i.e. The mobile station 20, upon powering up, initiates a registration message to the appropriate MSC/VLR (shown as an integrated device 17 in FIG. 2) in the MSC/VLR area 12 and registers the requisite information therein).

With respect to claim 2, if said third information processing apparatus determines that the authentication for said first information processing apparatus is permitted by said second information processing apparatus on the basis of said authentication result information supplied from said second information processing apparatus, said third information processing apparatus receives user information for said first information processing apparatus from said second information processing apparatus via said network (see column 3 line 30 – column 5 line 15).

With respect to claim 3, said third information processing apparatus transfers each piece of information with said second information processing apparatus in each area by use of a common library (see column 2 line 63 – column 3 line 29 i.e. element 26 Home Location register).

With respect to claim 4, said second information processing apparatus transfers each piece of information with said third information processing apparatus by use of a common interface in each area (see column 3 line 30 – column 5 line 15).

With respect to claims 5 and 9, an information processing apparatus comprising: acquiring means for acquiring authentication information for authenticating a user of first another (see column 2 lines 45-62 i.e. element 20 Mobile Station) information processing apparatus and preset area information from said first another information

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processing apparatus (see column 3 line 30 – column 5 line 15); selecting means for selecting second another (see column 2 lines 45-62 i.e. element 12 MSC/VLR area) information processing apparatus corresponding to said area information acquired by said acquiring means(see column 3 line 30 – column 5 line 15); sending means for sending, via said network, said authentication information of said first another information processing apparatus acquired by said acquiring means to said second another information processing apparatus selected by said selecting means (see column 3 line 30 – column 5 line 15); and receiving means for receiving, via said network, authentication result information for said first another information processing apparatus from said second another information processing apparatus (see column 2 line 45 – column 5 line 15).

With respect to claim 6, determining means for determining whether or not authentication for said first another information processing apparatus has been permitted by said second another information processing apparatus on the basis of said authentication result information received by said receiving means (see column 3 line 30 – column 5 line 15); wherein, if said authentication for said first another information processing apparatus is determined by said determining means to be permitted by said second another information processing apparatus, said receiving means receives user information corresponding to said first another information processing apparatus from said second another information processing apparatus via said network (see column 2 line 45 – column 5 line 15).

With respect to claim 7, said area information is a language code and a country code (see column 2 line 45 – column 3 line 10).

With respect to claim 8, said sending means and said receiving means are each configured by a library common to said second another information processing apparatus in each area (see column 3 line 30 – column 5 line 15 i.e. element 26 HLR).

With respect to claims 10 and 13, an information processing apparatus comprising: receiving means for receiving, via a network, authentication information for authenticating a user of first another information processing apparatus (see column 2 lines 45-62 i.e. element 20 Mobile Station) from second information processing apparatus (see column 2 lines 45-62 i.e. element 18 Location area); authenticating means for authenticating said first another information processing apparatus on the basis of said authentication information received by said receiving means (see column 2 line 45 – column 5 line 15); and sending means for sending, via said network, authentication result information for said first another information processing apparatus obtained by said authenticating means to said second another information processing apparatus (see column 2 line 45 – column 5 line 15).

With respect to claim 11, said receiving means receives information about a request for user information corresponding to said first another information processing apparatus from said second another information processing apparatus (see column 2 line 45 – column 5 line 15); and said sending means sends said user information corresponding to said first another information apparatus to said second another

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information processing apparatus on the basis of the request information received by said receiving means (see column 2 line 45 – column 5 line 15).

With respect to claim 12, said sending means and said receiving means are each configured by an interface common to all areas (see column 2 lines 45-62 i.e. element 10 cellular network and column 3 line 30 – column 5 line 15 i.e. element 26 HLR).

With respect to claim 19, an information processing apparatus comprising: receiving means for receiving, from first another information processing apparatus (see column 2 lines 45-62 i.e. element 20 Mobile Station), via a network (see column 2 lines 45-62 i.e. element 10 cellular network), a memory area ID corresponding to said first another information processing apparatus (see column 2 line 45 – column 3 line 10) in second another information processing apparatus and authentication permission information indicative of being authenticated by said second another information processing apparatus (see column 2 line 45 – column 5 line 15); acquiring means for acquiring, on the basis of said memory area ID and said authentication permission information received by said receiving means, a content ID stored (see column 2 line 63 – column 3 line 29 i.e. element 26 Home Location register) in a memory area corresponding to said memory area ID and content information corresponding to said content ID from said second another information processing apparatus via said network (see column 2 line 45 – column 5 line 15); and sending means for sending said content information acquired by said acquiring means to said first another information processing apparatus (see column 2 line 45 – column 5 line 15).

With respect to claim 20, determining means for determining, when said receiving means has received an instruction for purchasing a sale service of said content ID from said first another information processing apparatus, whether or not said instruction for purchasing said sale service corresponding to said content ID has been received by said receiving means (see column 2 line 45 – column 5 line 15); wherein, if said instruction for purchasing said sale service corresponding to said content ID is found received by said determining means, said acquiring means acquires said content corresponding to said content ID from said second another information processing apparatus via said network (see column 2 line 45 – column 5 line 15).

Claims 14-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Higuchi et al. (U.S. Patent Application Publication # 2003/0050050). Higuchi teaches everything with respect to claims 14 and 18, an information processing apparatus comprising: memory area control means for controlling the creation of a memory area (see paragraph 0054-0059 i.e. memory card 58) corresponding to first another information processing apparatus (see paragraph 0053 i.e. cellular phone) accessed via a network (see paragraph 0053 i.e. cellular phone network); storage means for receiving a content ID from said first another information processing apparatus and storing said content ID into said memory area whose creation has been controlled by said memory area control means (see paragraph 0060-0064); issuing means for issuing a memory area ID of said memory area in which said content ID is stored and authentication permission information indicative of the authentication of said first

another information processing apparatus (see paragraph 0060-0084); selecting means for selecting second another information processing apparatus (see paragraph 0053 i.e. delivery server and paragraph 0060-0064) corresponding to said first another information processing apparatus on the basis of area information of said first another information processing apparatus (see paragraph 0085-0112); and sending means for sending, via said network, said memory area ID and said authentication permission information issued by said issuing means to said first another information processing apparatus along with URL information of said second another information processing apparatus selected by said selecting (see paragraph 0060-0064 and see paragraph 0085-0112).

With respect to claim 15, in response to a request for information of said memory area corresponding to said memory area ID received from said second another information processing apparatus, said sending means sends said content ID from said memory area to said second another information processing apparatus via said network (see paragraph 0085-0112); in response to a request for content information corresponding to said content ID received from said second another information processing apparatus, said sending means sends said content information to said second another information processing apparatus via said network (see paragraph 0085-0112); and in response to said request for content corresponding to said content ID received from said second another information processing apparatus, said sending means sends said content to said second another information processing apparatus via said network (see paragraph 0085-0112).

With respect to claim 16, said sending means is configured by an interface common to said second another information processing apparatus in each (see figure 5 and paragraph 0085-0112).

With respect to claim 17, if said content ID received from said first another information processing apparatus has not been stored in said memory area by said storage means or if the deletion of said memory area corresponding to said memory ID has been requested by said second another information processing apparatus, said memory area control means controls the deletion of said memory area corresponding to said first another information processing apparatus (see paragraph 0078-0082).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

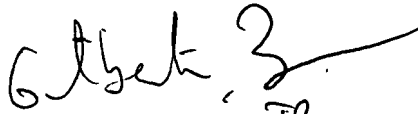
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Devin Almeida whose telephone number is 571-270-1018. The examiner can normally be reached on Monday-Thursday from 7:30 A.M. to 5:00 P.M. The examiner can also be reached on alternate Fridays from 7:30 A.M. to 4:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron, can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Devin Almeida
Patent Examiner
6/1/07


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